THE

NEWPORT MERCURY.

TUESDAY, APRIL 5, 1796. [N° 1772.]

NEWPORT: (*Rhode-Island*) Published by HENRY BARBER, near the State-House.

SPEECH of Dr. LEIB, in the House of Representatives of Pennsylvania, on the 24th February, 1796, on the Resolutions of the Legislature of Virginia, proposing certain Amendments to the Constitution of the United States.

[*Concluded from our last*]

AN argument, perhaps, may be drawn against committing treaties to large bodies on account of the secrecy which all such bodies are said to experience, and on account of the want of the necessary secrecy, Godwin in his Political Justice has opinions so pertinent to this subject, that I will take the liberty to read them to the committee.—"It has been of the objections to the ability of a democracy in war, that it cannot keep secrets. It happens in this instance, that that which the objection attacks as the vice of democracy, is one of its most essential excellencies. The trick of a mysterious carriage is the prolific parent of every vice, and it is an eminent advantage incident to democracy, that though the proclivity of mind has hitherto reconciled this species of administration in some degree to the keeping of secrets, yet its inherent tendency is to annihilate them.—Why should disingenuity and concealment be more virtuous or more beneficial in nations than in individuals? Why should that which every man of an elevated mind would disdain in his personal character, be entitled to more lenity and toleration, if undertaken by him as minister of state? Who is there that sees not, that this inextricable labyrinth was artfully invented, lest the people should understand their own affairs, and understanding become inclined to conduct them? With respect to treaties it is to be respected, that they are in all instances superfluous.—But, if public engagements ought to be entered into, what essential difference is there between the governments of two countries endeavouring to over-reach each other, and the buyer and seller in any private transaction adopting a similar proceeding?". But if this is an insecurity, how much stronger does it appear in giving the formation of treaties to smaller bodies, where influence and corruption may be more easily exercised, and the public good be made subservient to individual interest or private ambition. A body small and permanent as the Senate, ought least of all to be trusted with extraordinary powers; for it is the permanency of the British Parliament that makes it a ministerial engine, and the permanency of the Senate and its relation with the President are insuperable objections to committing the formation of treaties to them alone.—The checks of the different branches of the government upon each other in the formation of laws have occasioned volumes of panegyricks; but what becomes of such checks, when the most important of all laws, treaties, are to be formed? Here the President and Senate, who have been aptly compared to lions and wife, are to be the only checks upon each other, and the immediate representatives of the people are to have no voice in treaty legislation! A law which can be repealed at the will of the nation requires the concurrence of the three branches of the government; but a law more imperious than any municipal regulation, or even the Constitution itself, and which binds us and posterity requires no other sanction than the President and Senate! What a satire upon checks and balances! What a solecism in a republican government! Nay more, what horrid features of despotism does not this exhibit! No wonder it should have been the opinion of GODWIN that monarchy had one refuge left in the United States, and that the President possessed regal powers.

[A chapter from Godwin's Political Justice on a President with regal powers, was inserted, but it being too lengthy for insertion we refer our readers to the work vol. 2, page 83.]

The second proposition offers such a self evidence to the mind, that it is almost needless to analyse it—Indeed it is one of those self evident truths which derive no additional argument—As it is however in the view of the Committee I shall give it a cursory notice—By the Constitution of the United States the Senate are made to participate in many of the executive powers, and therefore become parties with him in executive measures.

Now as it would manifest the highest absurdity for a person to be a Judge in his own cause and as such a thing is unknown in any Country where Reason and Justice have dominion, it follows, that to confide the power of judging on an impeachment to the Senate is a dereliction of every principle of propriety, and offers a premium for political transgression. Would it not appear extremely paradoxical and unjust, that a criminal should be tried by a Jury of his accomplices, who were equally guilty with himself? And yet such a Jury would be the Senate, when sitting in judgment upon a President. Is this responsibility? "There is no subject, says Godwin, that deserves to be more maturely considered than this of responsibility,—To be responsible is to be liable to be called into an open judicature, where the accuser and the defendant produces their allegations and evidence on equal terms. Every thing short of this is mockery. For every thing that would give to either party any other influence than that of truth and virtue is subversive of the great ends of justice. If he can bias the sentiments of his judges by his possession of power, or by any compromise previous to his resignation, or by the mere sympathy excited in his successors, who will not be severe in their censures, lest they should be treated with severity in return, he cannot be said to be responsible at all. From the honest insolence of despotism we may perhaps promise ourselves better effects, than from the hypocritical disclaimers of a limited Government—nothing can be more pernicious than falsehood, and no falsehood can be more palpable than that which pretends to put a weapon into the hands of the general interest, which constantly proves blunt in the very act to strike."

What the views of the framers of the Constitution were in relation to this clause, unless it was designed to produce presidential inviolability, is not easy to imagine; for I defy an instance to be produced in any country even pretending to freedom, of such an hereby. It is impossible for the human mind to devise to itself a thing more absurd and more unjust; than that of accomplices in guilt being made the Judges of the principals. Two thirds of the Senate are necessary to concur in a treaty, and two thirds are necessary to pronounce sentence on an impeachment! Is this among the boasted checks and balances of our Constitution!—This feature of our charter, is too deformed, to need any further illustration;

"It is a monster, of such grim and mien,
"As to be hated, needs but to be seen."——

That proposition which contemplates an abridgment of the duration of the Senate next claims our attention—Representation is the vital principle of Republican Government, and the purity of Representation depends upon the unbiassed will of the people.—The will of the people ought to be the Supreme Law, and there is no other mode of ascertaining this will than by their Representatives. Now as the expression of the people's will can only be fairly and substantially given at the election of their representatives, and as this will ought at all times to be consulted, the more frequent the elections, the more frequent the opportunity of consulting it—If elections are not frequent, the will of the Representatives instead of the will of the people becomes the Supreme Law. Every remove from the people, diminishes the security of their rights; now as the Senate are not chosen by the people, some guarantee ought to be given them for a just exercise of power, and this guarantee can only be found in the frequency of their appointment. The Senate is chosen by the different Legislatures and they are, therefore, in this case electors; now as the remedy in the power of the people for an improper appointment by the Legislatures is on the day of election, this remedy becomes nugatory, unless the election of Senators occurs frequently—What remedy, I would ask, have the people, when the Senators are chosen by the Legislatures and those Senators are of six years duration? Where is the responsibility to the people, in this case? Have frequent elections of Senators obtained, we should not at this moment behold legislators, who had disregarded the voice of the people, sitting in council, and perhaps meditating another attempt upon our Constitution and liberty. The power of removing the senatorial electors is the only resource the people have against improper appointments; but what remedy does this afford, when a revolution of six years must take place, before the people are allowed the opportunity of doing themselves justice! The remembrance of the highest political manœuvre may be effaced in six years, and the fruits of injury and injustice may become obtained by some, which will afford a mantle of inviolability to the unfaithful servant. If the people cannot be entrusted with the right of frequent elections, and the power of a speedy removal of unjust legislators, it furnishes an argument for the establishment of a hereditary House of Representatives, an hereditary Senate, nay more, for the divine right of kings.

The very nature of a republican government supposes a sympathy between the people and their representatives, now I would ask what sympathy can possibly subsist between a Senator elected by a legislature for six years, and the people that he is said to represent? As well might we look for a fellow feeling in the House of Commons of Great-Britain for the people; for whom their representation renders them independent of the people, and converts them into the engines of despotism, of a similar nature will be the character of our Senate, when they become a little more matured by age and circumstances. The permanency of the Senate is to give stability to government, and to preserve us from anarchy. And this this is a word imported not from the British mint, and is of cabalistical import, and like the word heretic among the credulous christians of past centuries, furnishes a pretext for cruelty and oppression. But let me ask what are even the dangers and horrors of anarchy, when compared to tyranny? Let experience and the records of ages answer the question. What are the convulsions of even anarchy and destruction afforded by past ages? What a despotism has deluged the world with blood, and made a past time of human misery; while it has systematized rules for the oppression and degradation of man, anarchy has had a speedy period to its convulsions, and a tar shone after its clouds. Anarchy, like those gusts, is but short-lived; but despotism, like the malice of an unbreathed mind, knows no limits to its appetite. In a word, anarchy is like the eruption of a volcano which is transient, and confined in its ravages; despotism is like the earthquake in Calabria, that did not cease, till it carried misery and ruin to the utmost bounds of nations.

"It may be truly said," was the remark of the celebrated Dr. PRICE, "if licentiousness has destroyed its thousands, despotism has destroyed its millions. The former, having but little power, and NO SYSTEM TO SUPPORT IT, necessarily finds its own remedy; and a people soon get out of the tumult and anarchy, attending it. But a despotism, wearing a form of government, and being armed with its force, is an evil not to be conquered without dreadful struggles. It goes on from age to age, debasing the human faculties, and preying on the rights and blessings of society. It deserves to be added, that in a State disturbed by licentiousness, there is an ANIMATION which is favourable to the human mind, and puts it upon exerting its powers; but in a State habituated to despotism all is dull and torpid. A dark and savage tyranny stifles every effort of genius, and the mind loses all its spirit and dignity."

But let us examine whether this said monster, anarchy, will arise from rendering representatives more responsible, and more dependent upon the people. Are the people of this country such friends to disorder, that the energy of an aristocratic government is necessary to keep them in due subordination? What were the restraints of law during the interregnum of the declaration of independence, and the establishment of the respective State Constitutions? At this period, every thing was silent;—but the well informed and upright mind of Americans, kept them within those limits which justice and good order required, and yet we distrust them at this time, and are unwilling to commit to them a frequent [illegible] pointing their Legislators! Stability of government become a cant phrase to cover usurpation. We find the most horrid and iniquitous oppressions resorted to in Great Britain to preserve governmental energy,—witness the late sedition bill—and yet *we* seem disposed to legitimize a similar management. Government generally corrupts the people, instead of the people corrupting the government: checks are artfully contrived to render the people submissive to the government; but checks upon the government seem to be an object of little solicitude. If Republican government is instituted for the benefit of the people, the checks ought to be upon the rulers, instead of the ruled; for as the instances of the anarchy of Republicanism are solitary, but those of despotism are innumerable, experience ought to instruct us to have a jealous and watchful eye over men in power, and fortify ourselves against their encroachments by every means in our possession. Let us reflect upon our condition: If it is unsafe to allow frequent elections of Legislators, how much more unsafe is it to confide power long in the same hands. There is, unfortunately, a disposition in human nature to abuse power; but the propensity to pursue our own happiness, is an ample security for an enlightened people to be completely entrusted with their liberties.—Are the people in America so debased as to make it insecure to trust them with their own rights? Are they so ferocious that they must be yoked like wild beasts? Or does a Senatorial function convert man into an angel, and make him forget all his evil propensities? Either the people must be so debased, that they are unfit to make a proper choice, or their rulers must be a few grades above the lot of humanity, that they need not the guards, which human nature requires. Where is the man that will offer this insult to the American people; who is he that will attribute perfection to men in power. The history of the federal government does not furnish those luminous and patriotic features of human nature, as to seduce us into an unlimited confidence of men in power.

The excellence of our government has had anthems of panegyric continually chaunted in our ears. It is said to be the best in the world, and because of this we ought, I suppose, to reverence its imperfections; admitting for a moment that our government is the best in the world, is this offering any encomiums upon it? Till the immortal French Revolution gave a new impulse to the European mind; till that glorious and sublime event began to chase tyranny from its strong holds, Every was the portion of the Trans-Atlantic world. Even at this moment the iron of despotism enters deep into the hearts of the largest portion of the people of that country, and yet we turn our eyes there for governmental comparisons! Is it no disgrace to us that our government is less bad than that of Russia or Prussia? Are we to be satisfied, because our government bears the palm from despotism? Is this a consolation in which we ought to delight, that it has the precedence to that of Great Britain? If our political security is commendable, because it is greater than the [illegible] of his Britannic Majesty, I confess my feelings would not be highly gratified; for although we are not yet immersed in the corruptions and tyrannies of that debauched government, are we free from those imperfections which will lead to them? Is our government as good as it ought to be? This is the question. Its most strenuous advocates will hardly admit this; let us then render it more perfect, by introducing the amendments which it requires; for although it may be absurd for men to expect perfection, it is wisdom to attempt it.—Are we to have Senators for six years, because it is a less time than the septennial duration of the House of Commons? There was a time when British representatives were annually elected; but the strong hand of lawless power changed their duration to a time more for its purposes. The wealth of the nation would have been spent to corrupt a Parliament annually elected, it was necessary, therefore, to extend its duration, to give douceurs, pensions, and places, fair play.—Is power less intoxicating here than in Great-Britain? Though we have less wealth, have our men in power more virtue? If the means of secret influence are acquirable, will our Legislators be more proof against them, than the Members of a British Parliament? Will not the smallness and permanency of the Senate give an opportunity for the exercise of the influence which exists, and that which may be acquired? I will here hazard an assertion, and say, that if the Senate of the United States had had even a triennial duration, that disgraceful compact, which has prostituted the American interest, honour, faith, dignity and independence, would never have had a being.

[illegible] regularity, the Majesty of the American people have been insulted. Their voice would not have any Demands treated with scorn, and their sentiments to the unaccountable and suspicious [illegible]

Can a republican government [illegible] upon the will of the people be [illegible] vernment, when is that will to be known? Those in Newport and Providence will of the people be [illegible] will of the people be [illegible] like the present?

[illegible] there is no [illegible]

[illegible] tinuance [illegible]

STARBUCK, Jun. late of [illegible] requested to exhibit them

and OBED MITCHELL, Administrators. Those in Newport and Providence to present them to Captain JOSIAH [illegible] in Newport from Nantucket) as soon as [illegible]

Newport, 3d Mo. 29th. 1796.

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Mr. BOURN's SPEECH,

In the House of Representatives of the United States, on Mr. LIVINGSTON's Motion.

[*It was with considerable Regret we found ourselves obliged, from the Pressure of other Matter, to omit Mr.* BOURN's *Speech in our last Paper.—We are happy that we are enabled this week to comply with the repeated Solicitations of many of our Customers and Correspondents—by giving them the corrected Copy of a Speech so generally admired for its accurate Statements, and sound and original Arguments.*]

MR BOURN said he would have given a silent vote on this question, had it not have been for some strange doctrines which had been asserted, for he did not consider the question in itself, as necessarily involving any constitutional question. He regretted the debate had taken the turn it had. That before they had gone into the committee of the whole to whom the treaty was referred, they were debating what constitutional agency the house could take in relation to it, those who opposed the passing the resolution were charged with having given the direction to the debate, but he would ask who had advanced the position, that the treaty was not the law of the land till sanctioned by this House? Gentlemen in favour of the motion were certainly chargeable with this, and hence originated the Constitutional points now in discussion.—The doctrine, that the formal assent of the House of Representatives was essential to the legal existence of a treaty, struck him as a perfect novelty. That the President and Senate had power under the Constitution to make treaties, and that these treaties were the laws of the land, he had never heard denied, until this debate.—It was true he had heard it said, that the House might controul the President and Senate in the exercise of this power, by refusing to carry treaties into effect, by withholding appropriations of money, but he did not expect to hear the position, that the ratification of the House was necessary to a treaty, before it became the law of the land. He called the attention of the committee to the powers of forming treaties and alliances, as vested in Congress under the former Confederation, which was exactly similar to that vested in the President and Senate under the present Constitution. Then the power of regulating commerce, laying taxes, &c. was vested in the several State Legislatures. Was it ever heard that the treaties then made under the authority of Congress were not the laws of the land? Was it ever suggested that the treaty with France was not a law until it had the assent of the State Legislatures? Yet, according to the assertions of gentlemen, this treaty was not of legal efficacy without, for the States had the same power of regulating commerce, which is now vested in Congress, and say the gentlemen, treaties which embrace commercial regulations are not valid, until Congress who possess the power of regulating commerce, ratify them. The fact was, the treaty with France did embrace commercial objects, and is the law of the land without the consent of State Legislatures.

It was under the idea, that Congress had no more controuling power over treaties under the present Constitution, than was possessed by the State Legislatures under the old Confederation; that the people of the State he had the honour to represent, had adopted the Constitution. They conceived that the whole power, as to making treaties, was vested in the President and Senate. They strongly objected against adopting it, even under this construction; but, he was sure, those objections would have been much strengthened, had they conceived the treaty making power, as described in the Constitution, subject to the constructions now put upon it. As a Representative of a small State, he felt himself much interested in opposing the doctrine contended for. Under the former Confederation Rhode Island had an equal vote, with any State, in the making of treaties. This right was thought to have been fully preserved under the present Constitution; but if the sentiments he was combating prevailed, the small States would be deprived of one of their most essential rights; for the power of making treaties is one of the principal rights of sovereignty, was vested in all the States separately, when they became independent, were afterwards, and in the old Confederation, vested in Congress, each State having an equal vote, it was now in his opinion exclusively vested in the President and Senate, in which body the great and small States had the same equality of suffrage. The opinion which he advanced, was not merely the opinion of Rhode-Island, when the Constitution was adopted. A gentleman from Massachusetts had already shewn, from the Debates of the Virginia Convention, that that Assembly entertained the same opinion. He was sure the opinion prevailed in the Convention of Massachusetts; he had attended their debates, when this part of the Constitution was the subject of discussion. Objections were raised against it, from the indefiniteness of the power vested in the President and Senate, of making treaties. No one suggested, that the House of Representatives had any controul over, much less a participation in this power. It was urged, from the nature of the power, it ought to be placed where it was, in the President and Senate. The Senate represented the sovereignty of the States; besides, from their small numbers, they were better adapted to the exercise of this power, in respect to secrecy and despatch, necessary in negotiations. Objections were raised, on the ground of the possible abuses, to which the power of making treaties, unlimited and undefined as they were, might be carried. No one said, the President and Senate did not possess the power, nor was it pretended, that Congress had any power to controul it. He then called the attention of the Committee to the debates of the Convention of North-Carolina. He had been a little surprised to hear a member from that State yesterday say, he was a member of the Convention, and that it was understood that Congress could controul the President and Senate in making Treaties, so far as respected commerce; the power of legislating commercial regulations being given to Congress. His surprise was, that he had read the debates of the Convention, and found no such sentiments. One gentleman had explained himself, by saying, that he had understood the power of making treaties was vested exclusively in the President and Senate, but that the House of Representatives must ratify commercial treaties before they can be carried into effect? But this was not said; on the contrary it was said, that the power of making treaties was exclusively vested in the President and Senate, that it was right and proper it should be vested, and that the small States in the Convention which formed the Constitution would not agree to give any part of the treaty making power to the House of Representatives. That the nature of the treaty power shewed the propriety of placing it where it was placed: the members of the Senate were small and well fit for this business, more so than a numerous body where faction and party might prevail.—That the power of making treaties was vested in the Senate, because it were a branch of the Sovereign power. These observations had been made in the Convention of North Carolina. Now he asked, if this was the construction of the Constitution when it was adopted in the several States would it not be a trick on the small States, now to construe it differently, and say that no treaty was the law of the land until ratified by the House of Representatives? He considered that the state which he had the honor to represent would be of that opinion; he said it would be a gross violation of the Constitution to maintain, that the President and Senate could not make treaties without the assent of the House. But he did not consider this principle as involved in the motion before the Committee; it was a question of expediency: the President was asked by it for the instructions to his ministers and all other documents respecting the treaty, excepting any such as related to any existing negociation, he thought the alteration of the original motion which was made by introducing the exception had made it more objectionable; it was saying "send us all the papers respecting this negociation, excepting one particular description of them which we think you ought not to send." Nothing was left to the discretion of the President. Did any gentleman ever before hear of an executive being called on for the confidential instructions which he had given his Minister in relation to a foreign negociation, for the correspondence between himself and his minister, and for that which passed between the two ministers representing the negociating parties?—Was it not natural for gentlemen to consider that much confidential communication takes place on these occasions, which ought not to be disclosed but to the immediate parties concerned? The agency of private individuals might have been used in effecting the treaty, and was it proper that their names should be published? With the facts he was perfectly unacquainted. The Committee would readily suppose he knew nothing of the secrets of the negociation if such there were: but he thought there might be many, and they ought not to be divulged. Mr. Bourn added, that he believed the call for such papers to be wholly unprecedented. Just before the adoption of the present Government in France, a treaty had been negociated through the agency of the Committee of Safety with Spain. It is well known that strong objections was raised in the Convention, who then had the power of ratifying treaties, against giving their consent to that; and though it was the subject of much debate, the instructions and correspondence of the negociator were not called for. Suppose the President should be disposed to communicate the papers in question it probably would be under an injunction of secrecy. Did the House mean to debate on the treaty with closed doors? He conceived not. But if the papers were not to be disclosed to the public, they would not conduce to allay the public sensibility in respect to the treaty, which had been alleged as one motive for calling for them, though he did not think it real, for he thought the address which had been made to the petitions in the debate were calculated to increase instead of allaying any sensibility which may have existed: a gentleman had said that he disapproved of the treaty, notwithstanding that the Minister who negociated it, ought to be sent again as Minister Plenipotentiary to repeal it, if that was the only proper mode to get rid of it. The same gentleman who said this, also said, if he adored any thing in this world, it was the voice of the people, and that their voice was against the treaty.

Mr. Bourn said, he respected the voice of the people, but where were they to find the voice of the people?—That gentleman had referred to the petitions on the table. How many had petitioned against the treaty? Were there as many as was necessary to choose one Representative in that House? No, not half so many. Was this then the voice of the people?—He thought the voice of the people was to be collected from the diminutive appearance of the petitions themselves. The inference was strongly in favour of the voice of the people being with the treaty, when it was considered what pains had been taken to gain petitioners; he thought also the voice of the people was to be collected *from the proceedings of the State Legislatures*, in relation to the conduct of the President and Senate in ratifying the treaty. He stated that the several branches of the Legislature of New-Hampshire had been unanimous in their expressions of approbation. In Massachusetts a similar spirit had been shewn. The General Assembly of Rhode-Island had been unanimous and explicit in their approbation of the conduct of the President and Senate. The unanimity of Connecticut on this subject was well known. The addresses at the meeting of the Legislature of New York had breathed a similar spirit, those of Pennsylvania, Delaware, and Maryland also—the latter had been unanimous in their resolutions of approbation and confidence. He would not travel any further, some sentiments of a contrary complexion had been expressed to the South. The gentleman had referred to the sensibility which had been exhibited in the town-meetings. Mr. Bourn acknowledged that much dissatisfaction with the treaty had been shewn in most of the populous towns, he believed, however, from recent appearances, it was much abated. The people had been deceived in their expectations in respect to the treaty by several publications before the treaty arrived, having exaggerated its advantages, and stated that every thing was obtained which had been asked for. Mr. Bourn said he should not give his ideas on the treaty at present, they would be reserved for a more proper time; he believed that in obeying the Constitution, they should obey the voice of the people; if a doubt existed as to what was the true construction of the Constitution, he believed it ought to be conformed to the opinion which existed when the Constitution was adopted, and he had shewn that the most eminent men had then but one opinion in relation to it? they all agreed, that the power of making treaties was vested exclusively in the President and Senate. Mr. Bourn concluded by observing, that he had not intended to have carried his observations to so great a length, but as the State which he represented was particularly interested in the consequences of the principles which had been advanced, he had been the more lengthy. Indeed he did not consider these principles as necessarily involved in the question now before the Committee, but he confessed, that whatever might be the fate of this question, from the knowledge he had of the members of the Committee, that when they should come to decide on the question of carrying the treaty into effect, they would only respect the sacred obligations they were under to support the Constitution.

VADO *(Italy)* December 27.

AN English frigate has just arrived in this port, ignorant of Vado being no longer in possession of the Austrians. The French took possession of her amidst the cries of *Vive la Republic.*

All the country of Genoa is covered with Austrian prisoners, whom we know not what to do with. The Austrians left 22,000 men, all their magazines, and 110 pieces of cannon.

VIENNA, Dec. 26.

Nothing can exceed the execration of the public against Count de Vins, to which indignities neglect is attributed the bad revers[illegible] the Austrian affairs in Italy. So perfectly confident was [illegible] to his duty, that he night before the fatal attack he gave a grand ball at Finale, to which he had invited [illegible] officers of the out posts, and to which the French are indebted for their success being so complete.—The Emperor General is at Pavia, being afraid to venture himself in any part of the Austrian territory until the preliminaries and [illegible] shall be fixed. The cowardice of De Vins, who fled on the first alarm to Genoa, and the panic struck into our men by the want of orders from the General, the superiority of the enemy, and a thick fog which surrounded them, was so great, that they were entirely dispersed, with inconsiderable slaughter, but a still greater loss in prisoners. People now begin to recollect the ridiculous gasconade of De Vins, previous to his departure from Vienna, when he assured the Emperor, that if he granted him a discretionary power, he would soon display the Imperial Eagle in the Hall of the Convention.

LONDON, February 27.

The conduct and movements of Prussia have for some time been of an equivocal nature, and various reports have been circulated at different times, of hostilities meditated by the Prussian government against Holland.—As these reports possessed little consistency and character, we paid but slight attention to them.

It is now, however, affirmed, that the designs of the Court of Berlin have assumed "a combination, and a form indeed;" and that the object of his Prussian Majesty is to restore the Stadtholder, provided he receives a proper consideration from Great Britain.

For the purpose of effecting this restoration, regiments amounting to 48,000 men have been assembled, and the Prussian Ambassador, it is said, has actually received from his Court, and communicated to his Majesty's ministers, a list of the regiments. Nay, the day when this army is to march, is mentioned and fixed for the 5th of March.

His Prussian Majesty's force is meant to be solely directed against Holland; and therefore, in his contract with this country, it is to be expressly stipulated, that, to the southward of Maestricht for the eastern frontier, and to the southward of Bergen-op-Zoom for the western frontier, his troops shall not be employed.

February 20

HOUSE OF COMMONS February 18.

SLAVE TRADE.

Mr. Wilberforce made his promised motion, for the total abolition of the slave trade, in which he was supported by Mr. Buxton, Mr. Courteney, Mr. W. Smith, Sir Richard Hill, Mr. Serjeant Adair, Mr. Fox, and the Chancellor of the Exchequer; General Tarleton, Sir William Young, Mr. Jenkinson, Mr. Dundas, Mr. Dent, and Mr. Barham, spoke against the motion, when the house divided, and there appeared,

For the motion	93
Against it	69
Majority	26.

From Madrid it appears, that the English Ambassador has made some representations, by order of his Court respecting the naval preparations in the Spanish ports, which require a prompt and explicit answer; the result of this measure has not transpired.

THE Creditors of [illegible]man had explained himself, by saying, that he had understood the power of making treaties was vested exclusively in the President and Senate, but that the House of Representatives must ratify commercial treaties before they can be carried into effect? But this was not said; on the contrary it was said, that the power of making treaties was exclusively vested in the President and Senate, that it was right and proper it should be vested, and that the small States in the Convention which formed the Constitution would not agree to give any part of the treaty making power to the House of Representatives. That the nature of the treaty power shewed the propriety of placing it where it was placed: the numbers of the Senate were small and well fit for this business, more so than a numerous body where faction and party might prevail.—That the power of making treaties was vested in the Senate, because it were a branch of the Sovereign power. These observations had been made in the Convention of North Carolina. Now he asked, if this was the construction of the Constitution when it was adopted in the several States would it not be a trick on the small States, now to construe it differently, and say that no treaty was the law of the land until ratified by the House of Representatives? He considered that the state which he had the honor to represent would be of that opinion; he said it would be a gross violation of the Constitution to maintain, that the President and Senate could not make treaties without the assent of the House. But he did not consider this principle as involved in the motion before the Committee; it was a question of expediency: the President was asked by it for the instructions to his ministers and all other documents respecting the treaty, excepting any such as related to any existing negociation, he thought the alteration of the original motion which was made by introducing the exception had made it more objectionable; it was saying "send us all the papers respecting this negociation, excepting one particular description of them which we think you ought not to send." Nothing was left to the discretion of the President. Did any gentleman ever before hear of an executive being called on for the confidential instructions which he had given his Minister in relation to a foreign negociation, for the correspondence between himself and his minister, and for that which passed between the two ministers representing the negociating parties?—Was it not natural for gentlemen to consider that much confidential communication takes place on these occasions, which ought not to be disclosed but to the immediate parties concerned? The agency of private individuals might have been used in effecting the treaty, and was it proper that their names should be published? With the facts he was perfectly unacquainted. The Committee would readily suppose he knew nothing of the secrets of the negociation if such there were: but he thought there might be many, and they ought not to be divulged. Mr. Bourn added, that he believed the call for such papers to be wholly unprecedented. Just before the adoption of the present Government in France, a treaty had been negociated through the agency of the Committee of Safety with Spain. It is well known that strong objections was raised in the Convention, who then had the power of ratifying treaties, against giving their consent to that; and though it was the subject of much debate, the instructions and correspondence of the negociator were not called for. Suppose the President should be disposed to communicate the papers in question it probably would be under an injunction of secrecy. Did the House mean to debate on the treaty with closed doors? He conceived not. But if the papers were not to be disclosed to the public, they would not conduce to allay the public sensibility in respect to the treaty, which had been alleged as one motive for calling for them, though he did not think it real, for he thought the address which had been made to the petitions in the debate were calculated to increase instead of allaying any sensibility which may have existed: a gentleman had said that he disapproved of the treaty, notwithstanding that the Minister who negociated it, ought to be sent again as Minister Plenipotentiary to repeal it, if that was the only proper mode to get rid of it. The same gentleman who said this, also said, if he adored any thing in this world, it was the voice of the people, and that their voice was against the treaty.

Mr. Bourn said, he respected the voice of the people, but where were they to find the voice of the people?—That gentleman had referred to the petitions on the table. How many had petitioned against the treaty? Were there as many as was necessary to choose one Representative in that House? No, not half so many. Was this then the voice of the people?—He thought the voice of the people was to be collected from the diminutive appearance of the petitions themselves. The inference was strongly in favour of the voice of the people being with the treaty, when it was considered what pains had been taken to gain petitioners; he thought also the voice of the people was to be collected *from the proceedings of the State*

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HENRY WARD, *Station*, and

Mr. BOURN's SPEECH,

In the House of Representatives of the United States, on Mr. LIVINGSTON's Motion.

[*It was with considerable Regret we found ourselves obliged, from the Pressure of other Matter, to omit Mr.* BOURN's *Speech in our last Paper.—We are happy that we are enabled this week to comply with the repeated Solicitations of many of our Customers and Correspondents;——by giving them the corrected Copy of a Speech so generally admired for its accurate Statements, and sound and original Arguments*]

MR. BOURN said he would have given a silent vote on this question, had it not have been for some strange doctrines which had been asserted, for he did not consider the question in itself, as necessarily involving any constitutional question. He regretted the debate had taken the turn it had. That before they had gone into the committee of the whole to whom the treaty was referred, they were debating what constitutional agency the house could take in relation to it, those who opposed the passing the resolution were charged with having given the direction to the debate, but he would ask who had advanced the position, that the treaty was not the law of the land till sanctioned by this House? Gentlemen in favour of the motion were certainly chargeable with this, and hence originated the Constitutional points now in discussion.—The doctrine, that the formal assent of the House of Representatives was essential to the legal existence of a Treaty, struck him as a perfect novelty. That the President and Senate had power under the Constitution to make treaties, and that these treaties were the laws of the land, he had never heard denied, until this debate.—It was true he had heard it said, that the House might controul the President and Senate in the exercise of this power, by refusing to carry treaties into effect, by withholding appropriations of money, but he did not expect to hear the assertion, that the ratification of the House was necessary to a treaty, before it became the law of the land. He called the attention of the committee to the powers of forming treaties and alliances, as vested in Congress under the former Confederation, which was exactly similar to that vested in the President and Senate under the present Constitution. Then the power of regulating commerce, laying taxes, &c. was vested in the several State Legislatures. Was it ever heard that the treaties then made under the authority of Congress were not the laws of the land? Was it ever suggested that the treaty with France was not a law until it had the assent of the State Legislatures? Yet, according to the assertions of gentlemen, this treaty was not of legal efficacy without, for the States had the same power of regulating commerce, which is now vested in Congress, and say the gentlemen, treaties which embrace commercial regulations are not valid, until Congress who possess the power of regulating commerce, ratify them. The fact was, the treaty with France did embrace commercial objects, and is the law of the land without the consent of State Legislatures.

It was under the idea, that Congress had no more controuling power over treaties under the present Constitution, than was possessed by the State Legislatures under the old Confederation; that the people of the State he had the honour to represent, had adopted the Constitution. They conceived that the whole power, as to making treaties, was vested in the President and Senate. They strongly objected against adopting it, even under this construction; but, he was sure, those objections would have been much strengthened, had they conceived the treaty making power, as described in the Constitution, subject to the constructions now put upon it. As a Representative of a small State, he felt himself much interested in opposing the doctrine contended for. Under the former Confederation Rhode Island had an equal vote, with any State, in the making of treaties. This right was thought to have been fully preserved under the present Constitution; but if the sentiments he was combating prevailed, the small States would be deprived of one of their most essential rights; for the power of making treaties is one of the principal rights of sovereignty, was vested in all the States separately, when they became independent, were afterwards, and in the old Confederation, vested in Congress, each State having an equal vote, it was now in his opinion exclusively vested in the President and Senate, in which body the great and small States had the same equality of suffrage. The opinion which he advanced, was not merely the opinion of Rhode-Island, when the Constitution was adopted. A gentleman from Massachusetts had already shewn, from the Debates of the Virginia Convention, that that Assembly entertained the same opinion. He was sure the opinion prevailed in the Convention of Massachusetts; he had attended their debates, when this part of the Constitution was the subject of discussion. Objections were raised against it, from the indefiniteness of the power vested in the President and Senate, of making treaties. No one suggested, that the House of Representatives had any controul over, much less a participation in this power. It was urged, from the nature of the power, it ought to be placed where it was, in the President and Senate. The Senate represented the sovereignty of the States; besides, from their small numbers, they were better adapted to the exercise of this power, in respect to secrecy and despatch, necessary in negociations. Objections were raised, on the ground of the possible abuses, to which the power of making treaties, unlimited and undefined as they were, might be carried. No one said, the President and Senate did not possess the power, nor was it pretended, that Congress had any power to controul it. He then called the attention of the Committee to the debates of the Convention of North-Carolina. He had been a little surprised to hear a member from that State yesterday say, he was a member of the Convention, and that it was understood that Congress could controul the President and Senate in making Treaties, so far as respected commerce; the power of legislat-
mercial regulations being given to Congress.
his surprise was, that he had read the de-
State of Rhode-I Convention, and found no such senti-
THE Creditors o gentleman had explained himself, by
Middletown, in the second Convention called in that
alias Labourer, are hereby noti a member, and there the
think fit, at the General Assembly advanced. The debates
port, on the First Wednesday in May n had not seen. In
if any they may have, why his Petitioinns which were held
of the Act passed in June, A. D. 1756, North-Carolina, he
Insolvent Debtors, ought not to be granted. that assembly,
HENRY WARD, Section, and

clearly discover that all agreed that the treaty making power was exclusively vested in the President and Senate.—(Mr. Bourn read a number of observations from members of the Convention to the purport he mentioned.—One of the members had been a member of the Convention who formed the Constitution,]——He said he would not tire the patience of the committee, by reading any further from the debates relative to that point; but would only turn to what was said by a member who now belongs to the Supreme Court of the United States, in answer to a question asked by a member who now belongs to the Senate, whether it was not customary in England to submit treaties to the approbation of Parliament. This was read, and tended to shew, that the opinion of the gentleman alluded to was that in Great-Britain, treaties are usually submitted to Parliament, that their approbation is seldom withheld.—That the Constitutional power in that country, in respect to Treaties, is vested in the crown, and that any foreign power with whom a Treaty is made, considers it as binding without any act of Parliament, unless an alteration by such is provided for in the treaty itself, which was sometimes the case. It appeared clearly (Mr. Bourn contended) from the debates he had read, that there was only one opinion in the Convention of North-Carolina, in relation to the treaty making power, being vested in the President and Senate; and that treaties made by them, were the supreme law of the land, subject to no check or controul from the House of Representatives. If such an idea had been entertained, would not those who in that Convention were in favour of adopting the Constitution, and who almost despaired of its being adopted, have said in reply to those who objected against the investiture of this power in the President and Senate, "your rights are safe, the House of Representatives must ratify commercial treaties before they can be carried into effect?" but this was not said; on the contrary it was said, that the power of making treaties was exclusively vested in the President and Senate, that it was right and proper it should be so vested, and that the small States in the Convention which formed the Constitution would not agree to give any part of the treaty making power to the House of Representatives. That the nature of the treaty power shewed the propriety of placing it where it was placed; the numbers of the Senate were small and most fit for this business, more so than a numerous body where faction and party might prevail.—That the power of making treaties was vested in the Senate, because it were a branch of the sovereign power. These observations had been made in the Convention of North Carolina. Now he asked, if this was the construction of the Constitution when it was adopted in the several States would it not be a trick on the small States, now to construe it differently, and say that no treaty was the law of the land until ratified by the House of Representatives? He considered that the state which he had the honor to represent would be of that opinion; he said it would be a gross violation of the Constitution to maintain, that the President and Senate could not make treaties without the assent of the House. But he did not consider this principle as involved in the motion before the Committee; it was a question of expediency; the President was asked by it for the instructions to his ministers and all other documents respecting the treaty, excepting only such as related to any existing negociation, he thought the alteration of the original motion which was made by introducing the exception had made it more objectionable; it was saying "send us all the papers respecting this negociation, excepting one particular description of them which we think you ought not to send." Nothing was left to the discretion of the President. Did any gentleman ever before hear of an executive being called on for the confidential instructions which he had given his Minister in relation to a foreign negociation, for the correspondence between himself and his minister, and for that which passed between the two ministers representing the negociating parties?——Was it not natural for gentlemen to consider that much confidential communication takes place on these occasions, which ought not to be disclosed but to the immediate parties concerned? The agency of private individuals might have been used in effecting the treaty, and was it proper that their names should be published? With the facts he was perfectly unacquainted. The Committee would readily suppose he knew nothing of the secrets of the negociation if such there were: but he thought there might be many, and they ought not to be divulged. Mr. Bourn added, that he believed the call for such papers to be wholly unprecedented. Just before the adoption of the present Government in France, a treaty had been negociated through the agency of the Committee of Safety with Spain. It is well known that strong objections was raised in the Convention, who then had the power of ratifying treaties, against giving their consent to that; and though it was the subject of much debate, the instructions and correspondence of the negociator were not called for. Suppose the President should be disposed to communicate the papers in question it probably would be under an injunction of secrecy. Did the House mean to debate on the treaty with closed doors? He conceived not. But if the papers were not to be disclosed to the public, they would not conduce to allay the public sensibility in respect to the treaty, which had been assigned as one motive for calling for them, though he did not think it real, for he thought the addresses which had been made to the passions in the debate were calculated to increase instead of allaying any sensibility which may have existed: a gentleman had said that he disapproved of the treaty, insomuch that the Minister who negociated it, ought to be sent again as Minister Plenipotentiary to repeal it, if that was the only proper mode to get rid of it. The same gentleman who said this, also said, if he adored any thing in this world, it was the voice of the people, and that their voice was against the treaty.

Mr. Bourn said, he respected the voice of the people, but where were they to find the voice of the people?—That gentleman had referred to the petitions on the table. How many had petitioned against the treaty? Were there as many as was necessary to choose one Representative in that House? No, not half so many. Was this then the voice of the people?—He thought the voice of the people was to be collected from the diminutive appearance of the petitions themselves. The inference was strongly in favour of the voice of the people being with the treaty, when it was considered what pains had been taken to gain petitioners; he thought also the voice of the people was to be collected from the proceedings of the State Legislatures, in relation to the conduct of the President and Senate in ratifying the treaty. He stated that the several branches of the Legislature of New-Hampshire had been unanimous in their expressions of approbation. In Massachusetts a similar spirit had been shewn. The General Assembly of Rhode-Island had been unanimous and explicit in their approbation of the conduct of the President and Senate. The unanimity of Connecticut on this subject was well known. The addresses at the meeting of the Legislature of New York had breathed a similar spirit, those of Pennsylvania, Delaware, and Maryland also—the latter had been unanimous in their resolutions of approbation and confidence. He would not travel any further, some sentiments of a contrary complexion had been expressed to the South. The gentleman had referred to the sensibility which had been exhibited in the town-meetings. Mr. Bourn acknowledged that much dissatisfaction with the treaty had been shewn in most of the populous towns, he believed, however, from recent appearences, it was much abated. The people had been deceived in their expectations in respect to the treaty by several publications before the treaty arrived, having exaggerated its advantages, and stated that every thing was obtained which had been asked for. Mr. Bourn said he should not give his ideas of the treaty at present, they would be reserved for a more proper time; he believed that in obeying the Constitution, they should obey the voice of the people; if a doubt existed as to what was the true construction of the Constitution, he believed it ought to be conformed to the opinion which prevailed when the constitution was adopted, and he had shewn that the most eminent men had then but one opinion in relation to it? they all agreed, that the power of making treaties was vested exclusively in the President and Senate. Mr. Bourn concluded by observing, that he had not intended to have carried his observations to so great a length, but as the State which he represented was particularly interested in the consequences of the principles which had been advanced, he had been the more lengthy. Indeed he did not consider these principles as necessarily involved in the question now before the Committee, but he confided, that whatever might be the fate of this question, from the knowledge he had of the members of the Committee, that when they should come to decide on the question of carrying the treaty into effect, they would only respect the sacred obligations they were under to support the Constitution.

VADO (*Italy*) December 17.

AN English frigate has just arrived in this port, ignorant of Vado being no longer in possession of the Austrians. The French took possession of her amidst the cries of *Vive la Republic*.

All the country of Genoa is covered with Austrian prisoners, whom we know not what to do with. The Austrians left 12,000 men, all their magazines, and 110 pieces of cannon.

VIENNA, Dec. 26.

Nothing can exceed the execration of the public against Gen. de Vins, to whose scandalous neglect is attributed the sad reverse of the Austrian affairs in Italy. So perfectly indifferent was the commander to his duty, that the night before the fatal attack he gave a grand ball at Finale, to which he had invited several of the officers of the out-posts, and to which the French are indebted for their success being so complete.—The disgraced General is at Pavia, being afraid to venture himself in any part of the Austrian territory till the popular indignation shall subside. The cowardice of De Vins, who fled on the first alarm to Genoa, and the panic struck into our men by the want of orders from the General, the impetuosity of the enemy, and a thick fog which surrounded them, was so great, that they were entirely dispersed, with miserable slaughter, but a still greater loss in prisoners. People now begin to recollect the ridiculous gasconade of De Vins, previous to his departure from Vienna, when he assured the Emperor, that if he granted him a discretionary power, he would soon display the Imperial Eagle in the Hall of the Convention.

LONDON, February 17.

The conduct and sentiments of Prussia have for some time been of an equivocal nature, and various reports have been circulated at different times, of hostilities meditated by the Prussian government against Holland.—As these reports possessed little consistency and character, we paid but slight attention to them.

It is now, however, asserted, that the designs of the Court of Berlin have assumed "a combination, and a form indeed;" and that the object of his Prussian Majesty is to restore the Stadtholder, provided he receives a proper consideration from Great Britain.

For the purpose of effecting this restoration, regiments amounting to 48,000 men have been assembled, and the Prussian Ambassador, it is said, has actually received from his Court, and communicated to his Majesty's ministers, a list of the regiments. Nay, the day when this army is to march, is mentioned and fixed for the 5th of March.

His Prussian Majesty's force is meant to be solely directed against Holland; and therefore, in his contract with this country, it is to be expressly stipulated, that, to the southward of Maestricht for the eastern frontier, and to the southward of Bergen-op-Zoom for the western frontier, his troops shall not be employed.

February 20

HOUSE OF COMMONS, February 18.

SLAVE TRADE.

Mr. Wilberforce made his promised motion, for the total abolition of the slave trade, in which he was supported by Mr. Buxton, Mr. Courteney, Mr. W. Smith, Sir Richard Hill, Mr. Serjeant Adair, Mr. Fox, and the Chancellor of the Exchequer; General Tarleton, Sir William Young, Mr. Jenkinson, Mr. Dundas, Mr. Dent, and Mr. Barham, spoke against the motion, when the house divided, and there appeared,

For the motion	93
Against it	67
Majority	—26

From Madrid it appears, that the English Ambassador has made some representations, by order of his Court respecting the naval preparations in the Spanish ports, which require a prompt and explicit answer; the result of this measure has not transpired.

The loſs of the French in the late Actions with the Auſtrians, is computed at 80,000 men, killed, wounded, priſoners, and deſerters, and upwards of 430 pieces of cannon.

BOSTON, March 30.

The underwriters of this town have ſuffered very ſeverely, from the late loſſes in Europe, and the United States.—— 100,000 dollars, we are told, fall to the lot of one office to loſe.

The Peace, a ſhip lately loſt on Scilly, was inſured to the amount of 20,000 dollars, in this town.

Capt. Higgins, arrived yeſterday, informs, that an Engliſh fleet, 74 ſail of the line, left Cape Francois a few days before he ſailed, with an intention, it was ſaid, to proceed to the Mole, take in troops, and to return and beſiege the French poſſeſſions in that quarter.

NEWPORT, April 5.

In the Houſe of Repreſentatives of the United States, on Thurſday the 24th ult. a Deciſion took Place on Mr. Livingſton's Reſolution, calling on the Preſident for the Inſtructions, Correſpondence, and other Documents, relative to the Treaty with Great Britain. In Committee of the Whole, the Diviſion was,

For the Reſolution, — — —	61
Againſt it, — — — — —	38

In the Houſe, the Ayes and Noes were called for, and were as follow:

YEAS.	NAYS.
NEW HAMPSHIRE:	
J. S. Sherburne.	Nich. Gilman,
	J. Smith,
	A. Foſter.
VERMONT:	
Iſrael Smith,	Daniel Buck.
MASSACHUSETTS:	
H. Dearborn,	N. Freeman,
W. Lyman,	D. Foſter,
J. B. Varnum.	Sam. Lyman,
	Benj. Goodhue,
	Theod. Sedgwick,
	John Read,
	Geo. Thatcher,
	Peleg Wadſworth,
	Theod. Bradbury.
RHODE ISLAND:	
	Benj. Bourn,
	Francis Malbone.
CONNECTICUT:	
	Joſhua Coit,
	Chaun. Goodrich,
	Roger Griſwold,
	James Hillhouſe,
	Zeph. Swift,
	Uriah Tracey,
	Nath. Smith.
NEW YORK:	
Theod. Bailey,	Wm. Cooper,
John Hathorn,	Ezek. Gilbert,
J. N. Havens,	Henry Glen,
Lew. Livingſton,	J. E. Van Allen,
P. Van Cortlandt.	John Williams.
NEW JERSEY:	
Aaron Kitchell.	J. Smith.
	M. Thompſon.
PENNSYLVANIA:	
F. A. Muhlenberg,	R. Thomas,
John Swanwick,	J. W. Kittera,
Sam. Maclay,	T. Hartley,
And. Gregg,	S. Sitgreaves.
Wm. Findley,	
Ab. Gallatin,	
J. Richards,	
D. Baird.	
DELAWARE:	
John Patten.	
MARYLAND:	
G. Chriſtie,	W. Hindman,
Geo. Dent,	Wm. V. Murray.
Gab. Duvall,	
Sam. Smith,	
Thomas Sprigg.	
VIRGINIA:	
T. Claiborne,	
Iſaac Coles,	
Wm. B. Giles,	
Geo. Hancock,	
C. B. Harriſon,	
John Heath,	
R. Brent,	
James Madiſon,	
And. Moore,	
J. C. Clopton,	
Anth. New,	
John Nicholas,	
John Page,	
Joſiah Parker,	
Francis Preſton,	
R. Rutherford,	
Ab. Venable,	
Geo. Jackſon,	
S. J. Cabell.	
NORTH CAROLINA:	
T. Blount,	
James Gilleſpie,	
W. B. Grove,	
Mat. Locke,	
Nath. Macon,	
Dempſey Burgeſs,	
Nath. Bryan,	
Jeſſe Franklin,	
James Holland,	
Abſol. Tatum.	
KENTUCKY:	
A. D. Orr,	
C. Greenup.	
SOUTH-CAROLINA:	
Lemuel Benton,	R. G. Harper,
W. Hampton,	W. Smith.
Sam. Earle,	
Rich. Winn.	
GEORGIA:	
Abr. Baldwin,	
John Milledge.	
62	37
Majority for the Reſolution,	25

ABSENT.

Fiſher Ames, Maſſ.	Dan. Heiſter, Penſ.
Geo. Leonard, Maſſ.	Jer. Crabb, Maryl.
T. Henderſon, New-J.	

RECAPITULATION.

Yeas,	62
Nays,	37
Abſent,	5
Speaker,	1
Whole number Repreſentatives,	105

Mr. Dayton, in Committee of the Whole, voted againſt the Reſolution.

Before the Houſe roſe, Mr. Harper laid on the Table a Reſolution, as follows: "Reſolved, That Proviſion ought to be made for carrying into Effect the Treaties made with the Weſtern Indians, Algiers, and Great-Britain."

Mr. Livingſton and Mr. Gallatin were the Committee appointed to preſent the Reſolution calling for Papers, &c. relative to the Treaty with Great-Britain. They accordingly waited on the Preſident the ſame Day the Reſolution was paſſed.—The next Day Mr. Livingſton reported to the Houſe, that they had executed their Commiſſion, and received for Anſwer, That he would take the Matter into Conſideration.

MAGICAL LOGIC!—*Or, a Check without a Balance.*

It takes Ten States, or Two-thirds of the Senate, to confirm a Treaty made by the Preſident's Agent—Nineteen Senators are a Check to the Treaty making Power—but by the new Conſtruction of the Conſtitution, Three States, or Half of the Lower Houſe, are a Check on the Senate and Preſident, and can annul any Treaty; ſo that, Twelve States in the Lower Houſe, with Two-thirds of the Senate, together with the Preſident, have no Power, except what Three States pleaſe to grant.

(Philad. Paper)

The Hon. Mr. LISTON, late Engliſh Reſident at Conſtantinople, is appointed by the King of Great-Britain, Miniſter Plenipotentiary to the United States of America. His Arrival may ſhortly be expected at New-York.

We underſtand that Major JOHN BOREEL, of this Town, is appointed his Britannic Majeſty's Vice Conſul for this State.

Mr. Pinckney, our Ambaſſador at the Court of London, was preſented to the King, on his Return from Spain, on the 28th of January.

The Province of Holland has decreed Pain of Death againſt all emigrated Dutch Officers and Soldiers who have been in the Engliſh Pay, if they ſhould ever return to Holland. *(Lond. Paper)*

MARRIED]—At Providence, Mr. WILLIAM N. RHODES, Merchant, to Mrs. MARY THROOP CUSHING.

—Mr. GEORGE KEITH, Merchant, of Thompſon (Connecticut) to Miſs POLLY THAYER, Daughter of Brigadier General Thayer.

—In this Town, Mr. WILLIAM TILLINGHAST, to Miſs BETSY CHAMPLIN, Daughter of Mr. William Champlin, of Wetterly.

DIED]—In England, on the 22d of December laſt, General Sir HENRY CLINTON

Joſeph Aſton, M. D. Æ 83—he was the laſt Survivor of thoſe who went round the World with Anſon.

—On the Coaſt of Africa, Capt. ABIJAH POTTER, of Providence, and one of his Hands.

—In South Kingſtown, Mr. PALEG PECKHAM, formerly a Merchant in that Town, in the 74th Year of his Age.

"A Wife's a Feather, and a Chief's a Rod,
"An honeſt Man's the nobleſt Work of God."

—In this Town, Mr. PETER GREEN, in the 23d Year of his Age.

—On Friday laſt, after a long and ſevere Illneſs, in the 52d Year of his Age, Mr. SAMUEL WHITEHORN, of this Town; and, on Yeſterday Afternoon, his Remains were reſpectfully interred in Trinity Church Yard. ——A Wife, and Seven Children, lament the Loſs of a kind and indulgent Huſband and Father—his Friends an agreeable Companion—and the Community at large, a very uſeful and reſpectable Citizen.

—Yeſterday Morning, after a very long Illneſs, Mr. CHARLES B. WRIGHT, ſecond Son of the late Capt. Benjamin Wright, in the 23d Year of his Age.—A Youth, whoſe modeſt Behaviour, Induſtry, and Attention to Buſineſs recommended him to general Eſteem, and promiſed his ſoon becoming a valuable Member of Society.—His Funeral will be from the Houſe of Mr. William Hammond. To-morrow Afternoon, at Four o'Clock, which his Relations and Friends are requeſted to attend, without further Invitation.

CUSTOM-HOUSE,
Diſtrict of Newport, April 4.

ENTERED,	*From*
Sloop Leopard, Farnum,	Providence
Brig Little Sally, Earl,	Charleſton
CLEARED,	*For*
Ship Ruſſel, Wood,	Canton
Sloop Neptune, Arnold,	New-York
—— Harlequin, Adams,	Ditto
—— Betſy, Eddy,	New Haven
Schooner Mary, Arnold,	Richmond
Sloop Aurora, Brown,	New-York

FOR SALE,

100 Barrels of prime PORK,

and a Quantity of the beſt Iſle-of-May SALT.—— Apply to

SIMEON MARTIN.

Newport, April 4, 1796.

RAN AWAY from the Subſcriber on the 1ſt of January laſt, a Negro Woman, named FIBBO, about 30 Years of Age.—Whoever will take up ſaid Wench, and return her to her Maſter, ſhall have FIVE CENTS Reward, and no Charges.

WILLIAM CHAMPLIN, jun.

All Perſons are forbid harbouring or concealing her, as they will anſwer it on the Penalty of the Law.

South-Kingſtown, April 4, 1796.

TO BE SOLD AT
Public Auction,
At GARDNER & DEAN's STORE,
On Wedneſday, the 6th of April, at 10 o'Clock, A. M.

A LARGE Quantity of genteel HOUSEHOLD FURNITURE, conſiſting of Beds, Bedſteads, Dining-Tables, Chairs, Looking-Glaſſes, Bureaus, Deſks, &c. &c.

Newport, March 28, 1796.

To be Sold, by
ROBERT STEVENS,
At his STORE,

An Aſſortment of Calicoes,
Iriſh Linens,
Broadcloths and Kerſeymeres,
Brandy, by the Pipe,
Bohea Tea, in Cheſts and Half Cheſts, or by the Dozen lb.
Supe fine and fine Flour by the Barrel,
Rock Salt, by the Buſhel,
Tar by the Barrel, or larger Quantity.

Newport, April 4, 1796.

The YOUNG NIMROD,

A dark bay, of Size, Blood, and Figure,

Will Cover at the Stable of NICHOLAS EASTON, of Middletown, at Five Dollars the Seaſon, or Eight Dollars for an inſured Colt.

Good Paſturing, for Mares, at 1 s. per Week.

Newport, April 4, 1796.

Grafted Apples-Trees,
To be Sold by
THOMAS PECKHAM.

Newport, April 4, 1796.

TO BE SOLD,

THE HULL of a well-built Sloop, of about 80 Tons Burthen, if apply'd for in a Fortnight or Three Weeks:—Inquire of the Printer.

Newport, April 2, 1796.

FOR SALE, BY
William & Thomas Handy,
At their MANUFACTORY, in Pelham-Street,
Between Mr. Townſend's Coffee-Houſe, and the General Treaſurer's Office,

Tallow-Candles and Soap,
Wholeſale and Retail. Made
Warranted equal in Quality to any manufactured by Merchants within the United States.

Caſh, and the higheſt Price, conſtantly given for ASHES.

State of RHODE ISLAND *&c.*
Providence, March 25, 1796.

THE Creditors of WANTON CROSBY, of North-Kingſtown, are hereby notified to appear, if they ſhall think fit, at the General Aſſembly to be holden at Newport, on the Firſt Wedneſday in May next, to ſhew Cauſe, if any they may have, why the Prayer of his Petition, now pending before the General Aſſembly, for the Benefit of the Act paſſed in June, A. D. 1756, for the Relief of Inſolvent Debtors, ought not to be granted.

HENRY WARD *Sec'ry*

State of Rhode-Iſland, &c. March 29, 1796.

THE Creditors of TIMOTHY BROWNELL, of Middletown, in the County of Newport, Butcher, alias Laborer, are hereby notified to appear, if they ſhall think fit, at the General Aſſembly to be holden at Newport, on the Firſt Wedneſday in May next, to ſhew Cauſe, if any they may have, why his Petition, for the Benefit of the Act paſſed in June, A. D. 1756, for the Relief of Inſolvent Debtors, ought not to be granted.

HENRY WARD, *Sec'ry.*

FOR SALE, a LOT and very convenient STORE thereon, in good Repair, on the Long-Wharf.—— Inquire of the Printer.

To be SOLD,

A FARM, lying in North Kingſtown, about Three Miles W. S. W. from Biſſell's Mills, containing 300 Acres, with a Dwelling-Houſe, good Crib, and a very large new Barn thereon; is well wooded and watered.——For further Particulars, inquire of PETER PHILLIPS, Eſq; at Wickford, or OLIVER R. WARNER, in Newport.—Who has to Let, as ſoon as may be wanted, a few Lots of Land, at the Head of the Town, in excellent Order, very convenient for Meadows or Paſturing.——Alſo, has for Sale, by the large or ſmall Quantity, ſeveral Tons of excellent Clover and other HAY.

Newport, April 5, 1796.

Once more!

ALL Perſons indebted to, or that have any Demands on the Eſtate of JETHRO STARBUCK, Jun. late of Nantucket, deceaſed, are again requeſted to exhibit them to PAUL GARDNER, jun. and OBED MITCHELL, Adminiſtrators to ſaid Eſtate. Thoſe in Newport and Providence are deſired to preſent them to Captain JOSEPH SWAIN (now in Newport from Nantucket) as ſoon as may be.

Newport, 3d Mo. 29th. 1796.

The loss of the French in the late Actions with the Austrians, is computed at 80,000 men, killed, wounded, prisoners, and deserters, and upwards of 400 pieces of cannon.

BOSTON, March 30.

The underwriters of this town have suffered very severely, from the late losses in Europe, and the United States.—— 100,000 dollars, we are told, fall to the lot of one office to lose.

The Peace, a ship lately lost on Scilly, was insured to the amount of 20 000 dollars, in this town.

Capt. Higgins, arrived yesterday, informs, that an English fleet, 11 sail of the line, left Cape Francois a few days before he sailed, with an intention, it was said, to proceed to the Mole, take in troops, and to return and besiege the French possessions in that quarter.

NEWPORT, April 5.

In the House of Representatives of the United States, on Thursday the 24th ult. a Decision took Place on Mr. Livingston's Resolution, calling on the President for the Instructions, Correspondence, and other Documents, relative to the Treaty with Great-Britain. In Committee of the Whole, the Division was,

For the Resolution,	— — —	61
Against it,	— — — — —	38

In the House, the Ayes and Noes were called for, and were as follow:

YEAS.	NAYS.
NEW HAMPSHIRE:	
J. S. Sherburne.	Nich. Gilman,
	J. Smith,
	A. Foster.
VERMONT:	
Israel Smith,	Daniel Buck.
MASSACHUSETTS:	
H. Dearborn,	N. Freeman,
W. Lyman,	D. Foster,
J. B. Varnum.	Sam. Lyman,
	Benj. Goodhue,
	Theod. Sedgwick,
	John Read,
	Geo. Thatcher,
	Peleg Wadsworth,
	Theod. Bradbury.
RHODE ISLAND:	
	Benj. Bourn,
	Francis Malbone.
CONNECTICUT:	
	Joshua Coit,
	Chaun. Goodrich,
	Roger Griswold,
	James Hillhouse,
	Zeph. Swift,
	Uriah Tracey,
	Nath. Smith.
NEW-YORK:	
Theod. Bailey,	Wm. Cooper,
John Hathorn,	Ezek. Gilbert,
J. N. Havens,	Henry Glen,
Edw. Livingston,	J. E. Van Allen,
P. Van Courtlandt.	John Williams.
NEW-JERSEY:	
Aaron Kitchell.	J. Smith.
	M. Thompson.
PENNSYLVANIA:	
F. A. Muhlenberg,	R. Thomas,
John Swanwick,	J. W. Kittera,
Sam. Maclay,	T. Hartley,
And. Gregg,	S. Sitgreaves.
Wm. Findley,	
Alb. Gallatin,	
J. Richards,	
D. Baird.	
DELAWARE:	
John Patten.	
MARYLAND:	
G. Christie,	W. Hindman,
Geo. Dent,	Wm. V. Murray.
Gab. Duvall,	
Sam. Smith,	
Thomas Sprigg.	
VIRGINIA:	
T. Claiborne,	
Isaac Coles,	
Wm. B. Giles,	
Geo. Hancock,	
C. B. Harrison,	
John Heath,	
R. Brent,	
James Madison,	
And. Moore,	
J. C. Clopton,	
Anth. New,	
John Nicholas,	
John Page,	
Josiah Parker,	
Francis Preston,	
R. Rutherford,	
Ab. Venable,	
Geo. Jackson,	
S. J. Cabell.	
NORTH CAROLINA:	
T. Blount,	
James Gillespie,	
W. B. Grove,	
Mat. Locke,	
Nath. Macon,	
Dempsey Burgess,	
Nath. Bryan,	
Jesse Franklin,	
James Holland,	
Absol. Tatum.	
KENTUCKY:	
A. D. Orr,	
C. Greenup.	
SOUTH-CAROLINA:	
Lemuel Benton,	R. G. Harper,
W. Hampton,	W. Smith.
Sam. Earle,	
Rich. Winn.	
GEORGIA:	
Abr. Baldwin,	
John Milledge.	
62	37
Majority for the Resolution,	25

ABSENT.

Fisher Ames, Mass.	Dan. Heister, Penns.
Geo. Leonard, Mass.	Jer. Crabb, Maryl.
T. Henderson, New-J.	5

RECAPITULATION.

Yeas, — — —	62
Nays, — — —	37
Absent, — — —	5
Speaker, — — —	1
Whole number Representatives,	105

Mr. Dayton, in Committee of the Whole, voted against the Resolution.

Before the House rose, Mr. Harper laid on the Table a Resolution, as follows: "Resolved, That Provision ought to be made for carrying into Effect the Treaties made with the Western Indians, Algiers, and Great-Britain."

Mr. Livingston and Mr. Gallatin were the Committee appointed to present the Resolution calling for Papers, &c. relative to the Treaty with Great-Britain. They accordingly waited on the President the same Day the Resolution was passed.—The next Day Mr. Livingston reported to the House, that they had executed their Commission, and received for Answer, That he would take the Matter into Consideration.

MAGICAL LOGIC:—*Or, a Check without a Balance.*

It takes Ten States, or Two-thirds of the Senate, to confirm a Treaty made by the President's Agent—Nineteen Senators are a Check in the Treaty making Power—but by the new Construction of the Constitution, Three States, or Half of the Lower House, are a Check on the Senate and President, and can annul any Treaty; so that, Twelve States in the Lower House, with Two-thirds of the Senate, together with the President, have no Power, except what Three States please to grant. *(Philad. Paper.)*

The Hon. Mr. LISTON, late English Resident at Constantinople, is appointed by the King of Great-Britain, Minister Plenipotentiary to the United States of America. His Arrival may shortly be expected at New-York.

We understand that Major JOHN BREESE, of this Town, is appointed his Britannic Majesty's Vice Consul for this State.

Mr. Pinckney, our Ambassador at the Court of London, was presented to the King, on his Return from Spain, on the 28th of January.

The Province of Holland has decreed Pain of Death against all emigrated Dutch Officers and Soldiers who have been in the English Pay, if they should ever return to Holland. *(Lond. Paper.)*

MARRIED]—At Providence. Mr. WILLIAM N. RHODES, Merchant, to Mrs. MARY THROOP CUSHING.

—Mr. GEORGE KEITH, Merchant, of Thompson (Connecticut) to Miss POLLY THAYER, Daughter of Brigadier General Thayer.

—In this Town, Mr. WILLIAM TILLINGHAST, to Miss BETSY CHAMPLIN, Daughter of Mr. William Champlin, of Westerly.

DIED]—In England, on the 21st of December last, General Sir HENRY CLINTON.

Joseph Allen, M. D. Æ 83—he was the last Survivor of those who went round the World with Anson.

—On the Coast of Africa, Capt. ABIJAH POTTER, of Providence, and one of his Hands.

—In South Kingstown, Mr. PELEG PECKHAM, formerly a Merchant in that Town, in the 74th Year of his Age.

"A Wit's a Feather, and a Chief's a Rod,
"An honest Man's the noblest Work of God."

—In this Town, Mr. PETER GREEN, in the 23d Year of his Age.

—On Friday last, after a long and severe Illness, in the 52d Year of his Age, Mr. SAMUEL WHITEHORN, of this Town; and, on Yesterday Afternoon, his Remains were respectfully interred in Trinity-Church Yard.

——A Wife, and Seven Children, lament the Loss of a kind and indulgent Husband and Father—his Friends an agreeable Companion—and the Community at large, a very useful and respectable Citizen.

—Yesterday Morning, after a very long Illness, Mr. CHARLES B. WRIGHT, second Son of the late Capt. Benjamin Wright, in the 23d Year of his Age.—A Youth, whose modest Behaviour, Industry, and Attention to Business, recommended him to general Esteem, and promised his soon becoming a valuable Member of Society.—His Funeral will be from the House of Mr. William Hammond. To morrow Afternoon, at Four o'Clock, which his Relations and Friends are requested to attend, without further Invitation.

CUSTOM-HOUSE,
District of Newport, April 4.

ENTERED,	*From*
Sloop Leopard, Farnum,	Providence
Brig Little Sally, Earl,	Charleston
CLEARED,	*For*
Ship Russel, Wood,	Canton
Sloop Neptune, Arnold,	New-York
—— Harlequin, Adams,	Ditto
—— Betsy, Eddy,	New Haven
Schooner Mary, Arnold,	Richmond
Sloop Aurora, Brown,	New-York

FOR SALE,
100 Barrels of prime PORK,
and a Quantity of the best Isle-of-May SALT.—— Apply to
SIMEON MARTIN.
Newport, April 4, 1796.

RAN AWAY from the Subscriber on the 1st of January last, a Negro Woman, named FIBBO, about 30 Years of Age.—Whoever will take up said Wench, and return her to her Master, shall have FIVE CENTS Reward, and no Charges.
WILLIAM CHAMPLIN, jun.
All Persons are forbid harbouring or concealing her, as they will answer it on the Penalty of the Law.
South-Kingstown, April 4, 1796.

TO BE SOLD AT
Public Auction,
At GARDNER & DEAN's STORE,
On Wednesday, the 6th of April, at 10 o'Clock, A. M.
A LARGE Quantity of genteel HOUSEHOLD FURNITURE, consisting of Beds, Bedsteads, Dining-Tables, Chairs, Looking-Glasses, Bureaus, Desks, &c. &c.
Newport, March 28, 1796.

To be Sold, by
ROBERT STEVENS,
At his STORE,
An Assortment of Calicoes,
Irish Linens,
Broadcloths and Kerseymeres,
Brandy, by the Pipe,
Bohea Tea, in Chests and Half Chests, or by the Dozen lb.
Superfine and fine Flour by the Barrel,
Rock Salt, by the Bushel,
Tar by the Barrel, or larger Quantity.
Newport, April 4, 1796.

The *YOUNG NIMROD,*
A dark bay, of Size, Blood, and Figure,
Will Cover at the Stable of NICHOLAS EASTON, of Middletown, at Five Dollars the Season, or Eight Dollars for an insured Colt.
Good Pasturing, for Mares, at 1 s. per Week.
Newport, April 4, 1796.

Grafted Apples-Trees,
To be Sold by
THOMAS PECKHAM.
Newport, April 4, 1796.

TO BE SOLD,
THE HULL of a well-built Sloop, of about 80 Tons Burthen, if apply'd for in a Fortnight or Three Weeks:—Inquire of the Printer.
Newport, April 2, 1796.

FOR SALE, BY
William & Thomas Handy,
At their MANUFACTORY, in Pelham-Street, Between Mr. Townsend's Coffee-House, and the General Treasurer's Office,
Tallow-Candles and Soap,
Wholesale and Retail. Candles made Warranted equal in Quality to any manufactured in the United States.
Cash, and the highest Price, constantly given for ASHES.

State of RHODE-ISLAND *&c.*
Providence, March 25, 1796.

THE Creditors of WANTON CRSEY, of North-Kingstown, are hereby notified to appear, if they shall think fit, at the General Assembly to be holden at Newport, on the First Wednesday in May next, to shew Cause, if any they may have, why the Prayer of his Petition, now pending before the General Assembly, for the Benefit of the Act passed in June, A. D. 1756, for the Relief of Insolvent Debtors, ought not to be granted.
HENRY WARD *Sec'ry*

State of Rhode-Island, &c. March 29, 1796.

THE Creditors of TIMOTHY BROWNELL, of Middletown, in the County of Newport, Butcher, alias Labourer, are hereby notified to appear, if they shall think fit, at the General Assembly to be holden at Newport, on the First Wednesday in May next, to shew Cause, if any they may have, why his Petition, for the Benefit of the Act passed in June, A. D. 1756, for the Relief of Insolvent Debtors, ought not to be granted.
HENRY WARD, *Sec'ry.*

FOR SALE, a LOT and very convenient STORE thereon, in good Repair, on the Long-Wharf.—— Inquire of the Printer.

To be SOLD,
A FARM, lying in North Kingstown, about Three Miles W. S. W. from Bissell's Mills, containing 300 Acres, with a Dwelling-House, good Crib, and a very large new Barn thereon; is well wooded and watered.——For further Particulars, inquire of PETER PHILLIPS, Esq; at Wickford, or OLIVER R. WARNER, in Newport.—Who has to Let, as soon as may be wanted, a few Lots of Land, at the Head of the Town, in excellent Order, very convenient for Meadows or Pasturing.——Also, has for Sale, by the large or small Quantity, several Tons of excellent Clover and other HAY.
Newport, April 5, 1796.

Once more!

ALL Persons indebted to, or that have any Demands on the Estate of JETHRO STARBUCK, jun. late of Nantucket, deceased, are again requested to exhibit them to PAUL GARDNER, jun. and OBED MITCHELL, Administrators to said Estate. Those in Newport and Providence are desired to present them to Captain JOSEPH SWAIN (now in Newport from Nantucket) as soon as may be.
Newport, 3d Mo. 29th, 1796.

be not govern is a folecism, and refponfibility where a body is of fix years duration is a paradox.

The fourth propofition, which contemplates a prevention of heaping offices upon Judges, next claims our attention. This is another of thofe felf-evident truths, which every juft mind muft perceive at a glance. One of the greateft fecurities free men can have, is the integrity and independence of the Judiciary Power. To preferve this integrity and independence, Judges ought to be placed above the fmiles and the frowns of any department in the government. If temptations can be held out to Judges, by means of new offices, you hold out a lure to their integrity, and a feduction to their independence. Self intereft has fuch an influence upon the mind that where it operates ftrongly, it fo netimes warps the ftrongeft virtue. A motive fo powerful, ought to be fedulously guarded againft in fo important a point as the juft adminiftration of our laws and conftitution. The prefent Conftitution has been fo conftrued, or perhaps, indeed fo perverted, as to licenfe the appointment of a Judge of the Supreme Court in the Union to a foreign miffion. The impropriety of fuch an appointment, muft ftrike every reafonable mind, independently of the caufes which in principle militate againft it. Whether a Judge is, or is not neceffary. If he is neceffary, he ought to be upon the fpot; if he is not neceffary, the office is a finecure, and ought to be abolifhed. But there is a conftitutional circumftance which ought ever to preclude the Chief Juftice of the United States from accepting any office in the gift of the Executive. The Conftitution renders the Presidency neceffary in the Senate on an impeachment of the Prefident—and if his affections can be feduced, or his virtue be put off its guard, by appeals to his felf-intereft, where is the promifed fecurity from impeachment? An authority to confer additional offices upon the Chief Juftice, entitles him in the courfe of the Prefident—and the boafted refponfibility which impeachment is faid to fecure, becomes a dead letter. Can argument be neceffary to fubftantiate the authority and the danger from fuch a power?

Having taken a brief view of the amendments, I will now caft an eye on the refolution of the Member from Montgomery, in which fo much of the poet is difplayed. His imagination has taken the ftart of his judgment—and with a truly poetic power, he has created viftons, and wifhes this committee to embody them. He has ftripped the American people of their enterprize and induftry, to weave garlands for the government. Strange infatuation, that could thus metamorphofe things!

Sir, let me afk, in what confifts this boafted profperity, that renders amendments to our Conftitution hazardous and fuperfluous? Does it flow from the protection which our commerce has received?—Let the merchants of this continent, who have been robbed of their property by Britifh pirates, come forward and point out the protection which they have had. Let Providence and Bermuda be cited as evidences to prove our commercial fecurity and profperity.—Let the commiffioned robbers in his Britannic Maj fty's fervice, join the crowd of teft mony, and echo our profperity. What has been the ftate of American commerce, fince the war between the Republic of France and Great Britain? Infult and degradation have attended our flag, and confication of our property has been the fruit of our profperity. If further teftimony is neceffary to elucidate this fubject, let the American feamen be cited to witnefs their country's glory. Hapless people!—what a fpectacle do you exhibit! Torn from your friends, your families, and your country—doomed but, be waste of fervitude, on board Britifh fhips of war unprotected—led to fight againft your country's friends, and againft liberty—lay, what is the protection you have received—what the profperity you have experienced? Does your hapless cafe, furnifh cauſe for exultation?—Alas! then mifery muft communicate glad tidings to the foul, if your cheerlefs fate can infpire us with joy!

Perhaps our profperity may have its rife from the increafe of our national debt. As debt is fuppofed to be the wealth and bleffing, we may well rejoice, when we find it increafing—and here we fhall not be difappointed—That curfe, that fcourge of mankind, has been incorporated with our fyftem. It has been artfully interwoven to facilitate, in my apprehenfion, the defigns upon our freedom. An undeemable debt engrafted upon our government, warrants a belief that patriotifm, a love of republicanifm had no fhare in its conception. This debt, artfully contrived to raife up a miniftérial phalanx ready to fupport every meafure of government, however inquitous has been pronounced the bleffing of our country. Political facrilege, that could have arifen only in the moft corrupt heart! But, Sir, are we to conſider this debt as one of the conftituent parts of our profperity? Let us not exult when the fin of ingratitude and injuftice to a brave and patriotic army ftares us in the face. That army that led us on to victory and independence; that army which enables us now to fit here as Legiflature has been neglected, ftrimefully neglected by their country——and fpeculators have been fattened upon their toils and their blood. Is this too among thofe features of governmental procedure, that calls upon us to be grateful, and hail the profperity of our country? But I will drop the curtain upon a fubject, which for the honour of human nature, ought to be blotted from remembrance.

Where fhall we fearch for that profperity, which has arifen out of our government?—Is it in the depreciation of the precious metals? Is it in the rate of ufurious intereft of three and four per cent. a month for money? Is it in the increafed price of every article of life?

Is it in the increafed price of labour, that has advanced in proportion to the multiplied prices of the neceffaries of life? Our profperity is an artificial thing, the refult of adventitious circumftances, and muft be afcribed to the deplorable fituation in which the nations of Europe are placed. As well might the dews of Heaven, its rains, and its fun fhines, be afcribed to the operation of our government, as the profperity we are faid to experience. The misfortunes of the old world have produced the profperity of which we boaft; and fo far from our government having aided in it, that had not the enterprife and induftry of our citizens furmounted the greateft obftacles, our commerce muft have languifhed, and our produce been a drug. Has our commerce received the fmalleft protection from our government? Have our feamen been encouraged by that protection? No; our commerce has been left to the will, and our feamen at the mercy, of a barbarous and unprincipled nation.

Mr. Chairman, it is become common for certain men freely on the fubject of our government, with the names among us, to brand every man who fpeaks his mind of Jacobin, Anarchift, Antifederalift, and Difforganizer; but, Sir, fuch names have no effect upon me; indeed they, in my mind, only ſerve to fhew the badnefs of the cauſe they are ufed to defend. If a citizen is to be abufed becauſe he ufes the rights fecured to him by our focial compact, there muft be an end to free difcuffion.—The right freely to examine the meafures of government is an eſſential attribute of freedom, and cannot be withheld without deſtroying Republicanifm itſelf. Of this right I have availed myſelf, and of this right I ſhall ever avail myſelf, when I ſee juſt cauſe. I was one of the earlieſt friends to the preſent conſtitution, not becauſe I thought this ſyſtem was faultleſs, but becauſe I thought it preferable to the cobweb form that bound us under the confederation; and becauſe I thought it contained within itſelf, a remedy that would be uſed to render it more perfect. This expectation conciliated my good opinion; and, as an opportunity now offers, I hope this remedy will be applied. Let it not be ſaid, that expediency forbids it; for it is prudence, it is wiſdom, to adminiſter a remedy when the diſeaſe is diſcovered, and before it has taken too firm an hold; but it is folly, it is madneſs, to apply remedies when the diſorder has corrupted the ſyſtem, and made itſelf incurable.

FOR SALE, BY

Chriſtor. Champlin,

PETERSBURG clean HEMP,
Ruſſia BAR IRON,
Ruſſia DUCK,
Ravens DUCK,
White Ruſſia SHEETING,
Hard SOAP, by the Box.

---

300 Acres of Land, ſituated in

Hopkinton, in this State, for Sale, by

Chriſtopher Illery.

State of Rhode Iſland.
Newport, March 22, 1796

The PARTNERSHIP of

Clarke and Hammond

Diſſolves (by the exiſting Contract) on the Firſt Day of next May.——All Perſons who are indebted to, or that have Demands on ſaid Partnerſhip, are deſired to call and ſettle the ſame, at, or before the above mentioned Time.

They now have on Hand ſundry Articles, which they will ſell Cheap for Caſh, or good Notes, payable at the Bank of Rhode Iſland—among which are,

Bohea TEA, in Cheſts, Half and Quarter Cheſts,
BRANDY (French) in Pipes—NUTMEGS, per lb.
Jamaica SPIRITS and Weſt India RUM, by the Puncheon,
SUGAR, in Hogſheads and Barrels—WINDOW-GLASS, per Box.
GRINDSTONES per Ton.
ANCHORS of various Sizes—SNUFF per Keg.
A Quantity of BEEF and PORK, &c. &c.—And,
A Conſignment of 100 Bolts of Ravens DUCK, entitled to Drawback.

CLARKE & HAMMOND.

Newport, February 22, 1796.

To be Sold, by

BENJAMIN HILL,

On Capt CALEB GARDNER'S *Wharf*

ABOUT 5000 lbs. of excellent SHIP-BREAD, cheap for Caſh.

TO BE SOLD, BY

Godfrey Wenwood,

Superfine and Common Flour,
by the Barrel, or ſmaller Quantity.
Merick and Philadelphia TILE, by the Dozen.
Alſo—MOLASSES, of the firſt Quality, by Retail.

Giles Hoſier

Has now for Sale, as uſual,

Prime mild Stout,

By the Dozen, or Half Dozen—Twelve Shillings per Dozen.
By a ſmaller Quantity—Fifteen Pence, per Bottle.

FOR SALE,

SEVERAL Thouſand Feet of well-ſeaſoned PINE BOARDS, ſtuck above a Year, at the Price of green Lumber——and a few Loads of the beſt HAY.

Likewiſe, on a liberal Credit,

Fine old Peneriffe WINE, by the Pipe or Quarter-Caſk, entitled to a Drawback on Exportation.—This Article may be exchanged for Weſt India Rum, Engliſh Goods, Country Produce, or any other Article of Merchandize.—Inquire of the Printer.

Stephen Pierce

HAS FOR SALE,

BUNTING and ready made COLOURS. Alſo, an Aſſortment of neat GUN-LOCKS and BRASS FURNITURE, POWDER and SHOT, and about one Ton of LIGNUMVITÆ.

SIMON DAVIS

Has for Sale, at his Store on Mr. Robert Stevens's Wharf,

JAMAICA Sugar, by the Barrel,
Clay'd Ditto,
Pepper, by the Bag,
A new Supply of French Brandy, by the Barrel, or Half Barrel,
RAISINS by the Caſk,
Port and Liſbon Wine by the Pipe or Quarter-Caſk. Sherry Ditto,
A Quantity of Crates of Liverpool Ware, by Wholeſale and Retail—blue, cream colour'd, &c.
Hamburgh Window-Glaſs, 6 by 8, by the Box, and Half Box, French Ditto,
Tumblers and Wine-Glaſſes, Wholeſale and Retail,
Beſt of Sweet Oil, by the Caſe,
Hyſon Tea, by the Dozen, Half Dozen, or ſingle Pound,
Chocolate, by the Box—N° 1 and 2, warranted.

Nathan B. Miller

HAS FOR SALE,

VERY excellent French BRANDY, by the Pipe, or Quarter-Caſk—Malaga, and *St Lucar* WINES, by the Caſk—RAISINS—CURRANTS——CHOCOLATE (Walſh's, N° 2, warranted)—PEPPER and PIMENTO by the Bag—A few Barrels COFFEE, of a very good Quality—Weſt India RUM by the Hogſhead——and CASSIA by the lb.

March 29, 1796.

TO BE SOLD,

THAT well known Eſtate, the TAMMANY HILL FARM, late belonging to GODFREY MALBONE, Eſq; deceaſed, ſituated in Newport, Rhode Iſland—conſiſting of about ſeven Hundred Acres of choice arable and paſture Land, within a Mile of the central Part of the Town of Newport.——This Eſtate is advantageouſly ſituated—plentifully watered—commands an extenſive Proſpect of the Town, Ocean, Country, &c. &c.——Has upon it Orchards, of the beſt engrafted Fruit Trees; and Three handſome Farm Houſes, in good Repair.——In the elegant and extenſive Gardens, belonging to the ſame, are ſeveral Fiſh Ponds—Bathing Streams, Summer-Houſes, &c. &c.—Together with a Quantity of Connecticut Free-Stone—The Ruins of a large Manſion Houſe, conſumed by Fire.—For Terms of Payment &c. apply to FRANCIS BRINLEY, and WILLIAM HUNTER, Eſqrs. at Newport, Rhode Iſland—Dr. LLOYD, or Mr. NATHANIEL BRINLEY, at Boſton—Mr. SAMUEL BEEK, jun. Philadelphia—or to RICHARD HARRISON, Eſq; at New York.

Freſh Alexandria FLOUR

FOR SALE BY

Chriſtopher Fowler.

TIN OVENS,

Of a new Conſtruction,

MADE AND SOLD, BY

Joſeph Mumford,

Near the RED MARKET,

AS cheap as can be purchaſed in any State in the Union.—From the Conveniency in Roaſting MEAT—or COOKERY of moſt Deſcriptions—and by the great Saving of Fuel and Attendance required in Cooking, in the common Way, are ſufficient to recommend them to the Public.

Alſo Tin Ware of all Sorts, by Wholeſale and Retail—Iron Wire of all Sizes, by the Pound and Yard—Sheet Iron Dripping Pans——Sheet Iron Stoves and Pipes, ſuitable for Sloops and Veſſels Cabins. Likewiſe, Sheet Iron by the Pound.

He gives Cash for old Pewter and Lead. Orders from the Country will be carefully attended to, and the ſmalleſt Favours gratefully acknowledged.

We the Subſcribers, being appointed by the Hon. Town Council of North Kingſtown, Commiſſioners to receive and examine the Claims of the Creditors to the Eſtate of THOMAS BISSELL, late of ſaid North Kingſtown deceaſed, repreſented Inſolvent; and Six Months longer, from this Date, being allowed for that Purpoſe; do hereby notify all Perſons having Demands on ſaid Eſtate, to bring in their Claims to either of us, at our reſpective Dwellings, within the aboveſaid Time.

GEORGE THOMAS,
JAMES CONGDON.

March 9, 1796

All Perſons indebted to ſaid Eſtate, are hereby required to make immediate Payment, to

SUSANNA BISSELL, } *Adminiſtrix.*
SAMUEL BISSELL, } *Adminiſtr.*

to not govern is a ſolecism, and reſponſibility where a body is of ſix years duration is a paradox.

The fourth propoſition, which contemplates a prevention of heaping offices upon Judges, next claims our attention. This is another of thoſe ſelf-evident truths, which every juſt mind muſt perceive at a glance. One of the greateſt ſecurities free men can have, is the integrity and independence of the Judiciary Power. To preſerve this integrity and independence, Judges ought to be placed above the ſmiles and the frowns of any department in the government. If temptations can be held out to Judges, by means of new offices, you hold out a lure to their integrity, and a ſeduction to their independence. Self intereſt has ſuch an influence upon the mind that where it operates ſtrongly, it ſometimes warps the moſt virtue. A motive ſo powerful, ought to be ſedulouſly guarded againſt in ſo important a point as the juſt adminiſtration of our laws and conſtitution. The preſent Conſtitution has been ſo conſtrued, or perhaps, indeed ſo perverted, as to licenſe the appointment of a Judge of the Supreme Court in the Union to a foreign miſſion. The impropriety of ſuch an appointment, muſt ſtrike every reaſonable mind, independently of the cauſes which in principle militate againſt it. Whether a judge is, or is not neceſſary. If he is neceſſary, he ought to be upon the ſpot; if he is not neceſſary, the office is a ſinecure, and ought to be aboliſhed. But there is a conſtitutional circumſtance which ought ever to preclude the Chief Juſtice of the United States from accepting any office in the gift of the Executive. The Conſtitution renders the Preſidency neceſſary in the Senate on an impeachment of the Preſident—and if his affections can be ſeduced, or his virtue be put off its guard, by appeals to his ſelf-intereſt, where is the promiſed ſecurity from impeachment? An authority to confer additional offices upon the Chief Juſtice, enliſts him in the cauſe of the Preſident—and the boaſted reſponſibility which impeachment is ſaid to ſecure, becomes a dead letter. Can argument be neceſſary to ſubſtantiate the abſurdity and the danger from ſuch a power?

Having taken a brief view of the amendments, I will now caſt an eye on the reſolution of the Member from Montgomery, in which ſo much of the poet is diſplayed. His imagination has taken the ſtart of his judgment—and with a truly poetic power, he has created viſions, and wiſhes this committee to embody them. He has ſtripped the American people of their enterprize and induſtry, to weave garlands for the government. Strange infatuation, that could thus metamorphoſe things!

Sir, let me aſk, in what conſiſts this boaſted proſperity, that renders amendments to our Conſtitution hazardous and ſuperfluous? Does it flow from the protection which our commerce has received?—Let the merchants of this continent, who have been robbed of their property by Britiſh pirates, come forward and point out the protection which they have had. Let Providence and Bermuda be cited as evidences to prove our commercial ſecurity and proſperity.—Let the commiſſioned robbers in his Britannic Majeſty's ſervice, join the crowd of teſtimony, and echo our proſperity. What has been the ſtate of American commerce, ſince the war between the Republic of France and Great Britain? Inſult and degradation have attended our flag, and confiſcation of our property has been the fruit of our proſperity. If further teſtimony is neceſſary to elucidate this ſubject, let the American ſeamen be cited to witneſs their country's glory. Hapleſs people!—what a ſpectacle do you exhibit! Torn from your friends, your families, and your country—doomed but, be ware of ſervitude, on board Britiſh ſhips of war, and compelled to fight againſt your country's friends, and againſt liberty—ſay, what is the protection you have received—what the proſperity you have experienced? Does your hapleſs caſe, furniſh cauſe for exultation?—Alas! then miſery muſt communicate glad tidings to the ſoul, if your cheerleſs fate can inſpire us with joy!

Perhaps our proſperity may have its riſe from the increaſe of our national debt. As debt is ſuppoſed to be the wealth and bleſſing, we may well rejoice, when we find it increaſing—and here we ſhall not be diſappointed—That curſe, that ſcourge of nations, has been incorporated with our ſyſtem. It has been artfully interwoven to facilitate, in my apprehenſion, the deſigns upon our freedom. An irredeemable debt engrafted upon our government, warrants a belief that patriotiſm, a love of republicaniſm had no ſhare in its conception. This debt, artfully contrived to raiſe up a miniſterial phalanx ready to ſupport every meaſure of government, however inquitous has been pronounced the bleſſing of our country. Political ſacrilege, that could have ariſen only in the moſt corrupt heart! But, Sir, are we to conſider this debt as one of the conſtituent parts of our proſperity? Let us not exult when the ſin of ingratitude and injuſtice to a brave and patriotic army ſtares us in the face. That army that led us on to victory and independence; that army which enables us now to ſit here as Legiſlators has been neglected, ſhamefully neglected by their country——and ſpeculators have been fattened upon their toils and their blood. Is this too among thoſe features of governmental procedure, that calls upon us to be grateful, and hail the proſperity of our country? But I will drop the curtain upon a ſubject, which for the honour of human nature, ought to be blotted from remembrance.

Where ſhall we ſearch for that proſperity, which has ariſen out of our government?—Is it in the depreciation of the precious metals? Is it in the rate of uſurious intereſt of three and four per cent. a month for money? Is it in the increaſed price of every article of life?

Is it in the increaſed price of labour, that has advanced in proportion to the multiplied prices of the neceſſaries of life? Our proſperity is an artificial thing, the reſult of adventitious circumſtances, and muſt be aſcribed to the deplorable ſituation in which the nations of Europe are placed. As well might the dews of Heaven, its rains, and its ſun ſhines, be aſcribed to the operation of our government, as the proſperity we are ſaid to experience. The misfortunes of the old world have produced the proſperity of which we boaſt; and ſo far from our government having aided in it, that had not the enterprize and induſtry of our citizens ſurmounted the greateſt obſtacles, our commerce muſt have languiſhed, and our produce been a drug. Has our commerce received the ſmalleſt protection from our government? Have our ſeamen been encouraged by that protection? No; our commerce has been left to the will, and our ſeamen at the mercy, of a barbarous and unprincipled nation.

Mr. Chairman, it is become common for certain men freely on the ſubject of our government, with the names among us, to brand every man who ſpeaks his mind of Jacobin, Anarchiſt, Antifederaliſt, and Diſorganizer; but, Sir, ſuch names have no effect upon me; indeed they, in my mind, only ſerve to ſhew the badneſs of the cauſe they are uſed to defend. If a citizen is to be abuſed becauſe he uſes the rights ſecured to him by our ſocial compact, there muſt be an end to free diſcuſſion.—The right freely to examine the meaſures of government is an eſſential attribute of freedom, and cannot be withheld without deſtroying Republicaniſm itſelf. Of this right I have availed myſelf, and of this right I ſhall ever avail myſelf, when I ſee juſt cauſe. I was one of the earlieſt friends to the preſent conſtitution, not becauſe I thought this ſyſtem was faultleſs, but becauſe I thought it preferable to the cobweb form that bound us under the confederation; and becauſe I thought it contained within itſelf, a remedy that would be uſed to render it more perfect. This expectation conciliated my good opinion; and, as an opportunity now offers, I hope this remedy will be applied. Let it not be ſaid, that expediency forbids it; for it is prudence, it is wiſdom, to adminiſter a remedy when the diſeaſe is diſcovered, and before it has taken too firm an hold; but it is folly, it is madneſs, to apply remedies when the diſorder has corrupted the ſyſtem, and made itſelf incurable.

FOR SALE, BY

Chriſtor. Champlin,

PETERSBURG clean HEMP,
Ruſſia BAR IRON,
Ruſſia DUCK,
Ravens DUCK,
White Ruſſia SHEETING,
Hard SOAP, by the Box.

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300 Acres of Land, ſituated in Hopkinton, in this State, for Sale, by Chriſtopher Ellery.

State of Rhode Iſland.
Newport, March 21, 1796

The PARTNERSHIP of Clarke and Hammond

DIſſolves (by the exiſting Contract) on the Firſt Day of next May.—All Perſons who are indebted to, or that have Demands upon, ſaid Partnerſhip, are deſired to call and ſettle the ſame, at, or before the above mentioned Time.

They now have on Hand, ſundry Articles, which they will ſell Cheap for Caſh, or good Notes, payable at the Bank of Rhode Iſland—among which are,

Bohea TEA in Cheſts, Half and Quarter Cheſts,
BRANDY (French) in Pipes—NUTMEGS, per lb.
Jamaica SPIRITS and Weſt-India RUM, by the Puncheon,
SUGAR, in Hogſheads and Barrels—WINDOW-GLASS, per Box.
GRINDSTONES per Ton.
ANCHORS of various Sizes—SNUFF per Keg.
A Quantity of BEEF and PORK, &c. &c.—And,
A Conſignment of 100 Bolts of Ravens DUCK, entitled to Drawback.

CLARKE & HAMMOND.
Newport, February 22, 1796.

To be Sold, by
BENJAMIN HILL,
On Capt. CALEB GARDNER'S *Wharf*
ABOUT 5000 lbs. of excellent SHIP-BREAD, cheap for Caſh.

TO BE SOLD, BY

Godfrey Wenwood,

Superfine and Common Flour,
by the Barrel, or ſmaller Quantity,
Kirk and Philadelphia TILE, by the Dozen,
Alſo—MOLASSES, of the firſt Quality, by Retail.

Giles Hoſier

Has now for Sale, as uſual,

Prime mild Stout,

By the Dozen, or Half Dozen—Twelve Shillings per Dozen.
By a ſmaller Quantity—Fifteen Pence, per Bottle.

FOR SALE,

SEVERAL Thouſand Feet of well-ſeaſoned PINE BOARDS, ſtuck above a Year, at the Price of green Lumber——and a few Loads of the beſt HAY.

Likewiſe, on a liberal Credit,

Fine old Teneriffe WINE, by the Pipe or Quarter-Caſk, entitled to a Drawback on Exportation.—This Article may be exchanged for Weſt-India Rum, Engliſh Goods, Country Produce, or any other Article of Merchandize.—Inquire of the Printer.

Stephen Pierce

HAS FOR SALE,

BUNTING and ready made COLOURS. Alſo, an Aſſortment of neat GUN-LOCKS and BRASS FURNITURE, POWDER and SHOT, and about one Ton of LIGNUMVITÆ.

SIMON DAVIS

Has for Sale, at his Store on Mr. Robert Stevens's Wharf,

JAMAICA Sugar, by the Barrel,
Clay'd Ditto,
Pepper, by the Bag,
A new Supply of French Brandy, by the Barrel, or Half Barrel,
RAISINS by the Caſk,
Port and Liſbon Wine by the Pipe or Quarter-Caſk. Sherry Ditto,
A Quantity of Crates of Liverpool Ware, by Wholeſale and Retail—blue, cream colour'd, &c,
Hamburgh Window-Glaſs, 6 by 8, by the Box, and Half Box, French Ditto,
Tumblers and Wine-Glaſſes, Wholeſale and Retail,
Caſk of Sweet Oil, by the Caſe,
Hyſon Tea, by the Dozen, Half Dozen, or ſingle Pound,
Chocolate, by the Box—N° 1 and 2, warranted.

Nathan B. Miller

HAS FOR SALE,

VERY excellent French BRANDY, by the Pipe, or Quarter-Caſk—Malaga, and *St Lucar* WINES, by the Caſk—RAISINS—CURRANTS——CHOCOLATE (Welſh's, N° 2, warranted)—PEPPER and PIMENTO by the Bag—A few Barrels COFFEE, of a very good Quality—Weſt-India RUM by the Hogſhead—and CASSIA by the lb.

March 29, 1796.

TO BE SOLD,

THAT well-known Eſtate, the TAMMANY HILL FARM, late belonging to GODFREY MALBONE, Eſq; deceaſed, ſituated in Newport, Rhode-Iſland—conſiſting of about Seven Hundred Acres of choice arable and paſture Land, within a Mile of the central Part of the Town of Newport.——This Eſtate is advantageouſly ſituated—plentifully watered—commands an extenſive Proſpect of the Town, Ocean, Country, &c. &c.——Has upon it Orchards, of the beſt engrafted Fruit-Trees; and Three handſome Farm-Houſes, in good Repair.——In the elegant and extenſive Gardens, belonging to the ſame, are ſeveral Fiſh-Ponds—Bathing Streams, Summer-Houſes, &c. &c.—Together with a Quantity of Connecticut Free-Stone—The Ruins of a large Manſion Houſe, conſumed by Fire.—For Terms of Purchaſe, &c. apply to FRANCIS BRINLEY, and WILLIAM HUNTER, Eſq'rs, at Newport, Rhode-Iſland—Dr. LLOYD, or Mr. NATHANIEL BRINLEY, at Boſton—Mr. SAMUEL BRECK, jun. Philadelphia—or to RICHARD HARRISON, Eſq; at New York.

Freſh Alexandria FLOUR

FOR SALE, BY
Chriſtopher Fowler.

TIN OVENS,

of a new Conſtruction,
MADE AND SOLD, BY

Joſeph Mumford,

Near the RED MARKET,

AS cheap as can be purchaſed in any State in the Union.——From the Conveniency in Roaſting MEAT—or COOKERY of moſt Deſcriptions—and by the great Saving of Fuel and Attendance required in Cooking, in the common Way, are ſufficient to recommend them to the Public.

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He gives Caſh for old Pewter and Lead. Orders from the Country will be carefully attended to, and the ſmalleſt Favours gratefully acknowledged.

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pointed by the Hon. Town Council of North Kingſtown, Commiſſioners to receive and examine the Claims of the Creditors to the Eſtate of THOMAS BISSELL, late of ſaid North Kingſtown deceaſed, repreſented Inſolvent; and Six Months longer, from this Date, being allowed for that Purpoſe; do hereby notify all Perſons having Demands on ſaid Eſtate, to bring in their Claims to either of us, at our reſpective Dwellings, within the aboveſaid Time.

GEORGE THOMAS,
March 9, 1796 JAMES CONGDON.

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SUSANNA BISSELL, } *Adminiſ'x.*
SAMUEL BISSELL, } *Adminiſ'r.*